

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN COLEMAN ,

Plaintiff(s)

-against-

THE CITY OF NEW YORK, DOLLAR TREE STORE 4925,
DOLLAR TREE STORES, INC., DOLLAR TREE STORE
MANAGEMENT INC., NEW YORK CITY POLICE
OFFICERS: JOHANNY BEISSEL SHIELD 7587, AND
OFFICERS JOHN AND JANE DOE #S 1 -10, THE NAMES
BEING FICTITIOUS AND PRESENTLY UNKNOWN, IN
THEIR INDIVIDUAL AND OFFICIAL CAPACITIES AS
EMPLOYEES OF THE CITY OF NEW YORK POLICE
DEPARTMENT, DOLLAR TREE STORE 4925 AND/OR
DOLLAR TREE STORES, INC. AND/OR DOLLAR TREE
STORE MANAGEMENT EMPLOYEES: ALEXANDER
ETSEYOTSE AND SECURITY GUARDS JOHN AND JANE
DOE #S 1 -10, THE NAMES BEING FICTITIOUS AND
PRESENTLY UNKNOWN, IN THEIR INDIVIDUAL AND
OFFICIAL CAPACITIES AS EMPLOYEES OF DOLLAR
TREE STORE 4925 AND/OR DOLLAR TREE STORES, INC.
AND/OR DOLLAR TREE STORE MANAGEMENT,

Defendant(s)

ALLEN KOHN, an attorney duly admitted to practice law before this Court declares
under the penalty of perjury the following to be true:

- 1) I am an associate with Mintzer, Sarowitz, Zeris Ledva & Meyers, LLP, attorneys for Defendant Dollar Tree Store, Inc. i/s/h/a Dollar Tree Store Management Inc. and Alexander Etseyotse (“Dollar Tree Defendants”).
- 2) I am fully familiar with the facts and circumstances surrounding this case and submit this Declaration in support of a motion pursuant to Fed. R. Civ. P 12(c) dismissing the Complaint against Dollar Tree Defendants.

3) On December 17, 2018, Plaintiff filed the Complaint attached hereto as Exhibit A.

4) On December 18, 2018 Plaintiff filed the Complaint attached hereto as Exhibit B.

5) On January 2, 2019 Plaintiff filed the Complaint attached hereto as Exhibit C.

6) On March 04, 2019 Dollar Tree Defendants filed the Answer attached hereto as Exhibit D.

Dated: New York, New York
April 12, 2019

/s/ Allen Kohn
ALLEN KOHN